

Velázquez	Watt	Woolsey
Wasserman	Waxman	Wu
Schultz	Weiner	Young (FL)
Waters	Weldon (FL)	
Watson	Wexler	

NOT VOTING—3

Brady (PA)	Payne	Schakowsky
------------	-------	------------

□ 1310

Ms. SCHWARTZ of Pennsylvania, Ms. CORRINE BROWN of Florida, and Messrs. SERRANO, KIND, BARTLETT of Maryland, and DAVIS of Illinois changed their vote from “yea” to “nay.”

Ms. HERSETH, Mr. GILCHREST, and Mr. SCOTT of Virginia changed their vote from “nay” to “yea.”

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2361, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of agreeing to the resolution, House Resolution 392, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 4, answered “present” 23, not voting 4, as follows:

[Roll No. 446]

YEAS—402

Abercrombie	Boyd	Cramer
Ackerman	Bradley (NH)	Crenshaw
Aderholt	Brady (TX)	Crowley
Alexander	Brown (OH)	Cubin
Allen	Brown (SC)	Cuellar
Andrews	Brown, Corrine	Culberson
Baca	Brown-Waite,	Cummings
Bachus	Ginny	Cunningham
Baird	Burgess	Davis (AL)
Baker	Burton (IN)	Davis (CA)
Baldwin	Butterfield	Davis (FL)
Barrow	Buyer	Davis (IL)
Barton (TX)	Calvert	Davis (KY)
Bass	Camp	Davis (TN)
Bean	Cannon	Davis, Jo Ann
Beauprez	Cantor	Davis, Tom
Becerra	Capito	Deal (GA)
Berkley	Capps	DeFazio
Berman	Cardin	DeGette
Berry	Cardoza	Delahunt
Biggart	Carnahan	DeLauro
Bilirakis	Carson	DeLay
Bishop (GA)	Carter	Dent
Bishop (NY)	Case	Diaz-Balart, L.
Bishop (UT)	Castle	Diaz-Balart, M.
Blackburn	Chabot	Dicks
Blumenauer	Chandler	Doggett
Blunt	Chocola	Doolittle
Boehlert	Clay	Doyle
Boehner	Cleaver	Drake
Bonilla	Clyburn	Dreier
Bonner	Coble	Duncan
Bono	Cole (OK)	Edwards
Boozman	Conaway	Ehlers
Boren	Conyers	Emanuel
Boswell	Costa	Emerson
Boucher	Costello	Engel
Boustany	Cox	English (PA)

Eshoo	LaTourette	Renzi
Etheridge	Leach	Reyes
Evans	Lee	Reynolds
Everett	Levin	Rogers (AL)
Farr	Lewis (CA)	Rogers (KY)
Fattah	Lewis (GA)	Rogers (MI)
Feeney	Lewis (KY)	Rohrabacher
Ferguson	Linder	Ros-Lehtinen
Filner	Lipinski	Ross
Fitzpatrick (PA)	LoBiondo	Rothman
Foley	Lofgren, Zoe	Roybal-Allard
Forbes	Lowey	Royce
Ford	Lucas	Ruppersberger
Fortenberry	Lynch	Rush
Fossella	Mack	Ryan (OH)
Frank (MA)	Maloney	Ryun (KS)
Frelinghuysen	Manzullo	Sabo
Galleghy	Marchant	Salazar
Garrett (NJ)	Markey	Sanchez, Linda
Gerlach	Marshall	T.
Gibbons	Matheson	Sanchez, Loretta
Gilchrest	Matsui	Sanders
Gillmor	McCarthy	Saxton
Gingrey	McCaul (TX)	Schiff
Gonzalez	McCollum (MN)	Schwartz (PA)
Goode	McCotter	Schwarz (MI)
Goodlatte	McCrery	Scott (GA)
Gordon	McDermott	Scott (VA)
Granger	McGovern	Sensenbrenner
Graves	McHenry	Serrano
Green (WI)	McHugh	Sessions
Green, Al	McIntyre	Shadegg
Green, Gene	McKeon	Shaw
Grijalva	McKinney	Shays
Gutierrez	McMorris	Sherman
Hall	McNulty	Sherwood
Harman	Meehan	Shimkus
Harris	Meek (FL)	Shuster
Hart	Meeke (NY)	Simmons
Hastings (FL)	Melancon	Simpson
Hastings (WA)	Menendez	Skelton
Hayes	Mica	Slaughter
Hayworth	Michaud	Smith (NJ)
Herger	Millender-	Smith (TX)
Herseht	McDonald	Smith (WA)
Higgins	Miller (MI)	Snyder
Hincheey	Miller (NC)	Solis
Hinojosa	Miller, Gary	Souder
Hobson	Miller, George	Spratt
Hoekstra	Mollohan	Stark
Holden	Moore (KS)	Stearns
Holt	Moore (WI)	Strickland
Honda	Moran (KS)	Sullivan
Hooley	Moran (VA)	Sweeney
Hostettler	Murphy	Tauscher
Hoyer	Murtha	Taylor (MS)
Hulshof	Myrick	Taylor (NC)
Hunter	Nadler	Terry
Hyde	Napolitano	Thomas
Inglis (SC)	Neal (MA)	Thompson (CA)
Inslee	Neugebauer	Thompson (MS)
Israel	Ney	Thornberry
Issa	Northup	Tiahrt
Istook	Norwood	Tiberi
Jackson (IL)	Nunes	Tierney
Jackson-Lee	Nussle	Towns
(TX)	Oberstar	Turner
Jefferson	Obey	Udall (CO)
Jenkins	Olver	Udall (NM)
Jindal	Ortiz	Upton
Johnson (CT)	Osborne	Van Hollen
Johnson (IL)	Owens	Velázquez
Johnson, E. B.	Oxley	Visclosky
Johnson, Sam	Pallone	Walden (OR)
Jones (OH)	Pascarella	Walsh
Kanjorski	Pastor	Wamp
Kaptur	Pearce	Wasserman
Keller	Pelosi	Schultz
Kelly	Peterson (MN)	Waters
Kennedy (MN)	Peterson (PA)	Watson
Kennedy (RI)	Petri	Watt
Kildee	Pickering	Waxman
Kilpatrick (MI)	Pitts	Weiner
Kind	Platts	Weldon (FL)
King (NY)	Poe	Weldon (PA)
Kingston	Pombo	Weller
Kirk	Pomeroy	Wexler
Kline	Porter	Whitfield
Knollenberg	Price (NC)	Wicker
Kolbe	Pryce (OH)	Wilson (NM)
Kucinich	Putnam	Wilson (SC)
Kuhl (NY)	Radanovich	Wolf
LaHood	Rahall	Woolsey
Langevin	Ramstad	Wu
Lantos	Rangel	Wynn
Larsen (WA)	Regula	Young (AK)
Larson (CT)	Rehberg	Young (FL)
Latham	Reichert	

NAYS—4

Capuano	Dingell
Cooper	Stupak

ANSWERED “PRESENT”—23

Akin	Hefley	Otter
Barrett (SC)	Hensarling	Pence
Bartlett (MD)	Jones (NC)	Price (GA)
Flake	King (IA)	Ryan (WI)
Foxx	Lungren, Daniel	Sodrel
Franks (AZ)	E.	Tancredito
Gohmert	Miller (FL)	Tanner
Gutknecht	Musgrave	Westmoreland

NOT VOTING—4

Brady (PA)	Payne
Paul	Schakowsky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1318

Mr. POE changed his vote from “present” to “yea.”

Mr. BARRETT of South Carolina changed his vote from “yea” to “present.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2985, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, House Resolution 396, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 375, nays 27, answered “present” 24, not voting 7, as follows:

[Roll No. 447]

YEAS—375

Abercrombie	Bono	Castle
Ackerman	Boozman	Chabot
Aderholt	Boren	Chandler
Alexander	Boswell	Chocola
Allen	Boucher	Clay
Andrews	Boustany	Cleaver
Baca	Boyd	Clyburn
Bachus	Bradley (NH)	Coble
Baker	Brady (TX)	Cole (OK)
Barton (TX)	Brown (SC)	Conaway
Bass	Brown, Corrine	Costa
Bean	Brown-Waite,	Costello
Beauprez	Ginny	Cox
Becerra	Burgess	Cramer
Berkley	Burton (IN)	Crenshaw
Berman	Butterfield	Crowley
Berry	Buyer	Cubin
Biggart	Calvert	Cuellar
Bilirakis	Camp	Culberson
Bishop (GA)	Cannon	Cummings
Bishop (NY)	Cantor	Cunningham
Bishop (UT)	Capito	Davis (AL)
Blackburn	Capps	Davis (CA)
Blumenauer	Cardin	Davis (FL)
Blunt	Cardoza	Davis (IL)
Boehlert	Carnahan	Davis (KY)
Boehner	Carson	Davis (TN)
Bonilla	Carter	Davis, Jo Ann
Bonner	Case	Davis, Tom

Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Herseeth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kilpatrick (MI)
Kind

King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lynch
Mack
Maloney
Manzullo
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender
McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Owens
Oxley
Pallone
Pascarell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam

Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryun (KS)
Sabo
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—27

Baird
Baldwin
Barrow
Brown (OH)
Capuano
Conyers
Cooper
Doggett
Frank (MA)
Israel
Jackson-Lee
(TX)
Kennedy (RI)
Kildee
Kucinich
Lofgren, Zoe
Markey
Meehan
Miller, George
Obey
Olver
Ryan (OH)
Stark
Taylor (MS)
Tierney
Udall (NM)
Velázquez
Wu

ANSWERED "PRESENT"—24

Akin
Barrett (SC)
Bartlett (MD)
Flake
Foxy
Franks (AZ)
Garrett (NJ)
Gohmert
Gutknecht
Hefley
Hensarling
Jones (NC)
King (IA)
Lungren, Daniel
E.
Marchant
Miller (FL)
Other
Pence
Price (GA)
Ryan (WI)
Sodrel
Tancredo
Tanner
Westmoreland

NOT VOTING—7

Brady (PA)
Feeney
Paul
Payne
Reynolds
Schakowsky
Thompson (MS)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1326

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills and a Joint Resolution of the following titles in which the concurrence of the House is requested:

S. 302. An act to make improvements in the Foundation for the National Institutes of Health.

S. 447. An act to authorize the conveyance of certain Federal land in the State of New Mexico.

S. 655. An act to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention.

S. 1517. An act to permit Women's Business Centers to re-compete for sustainability grants.

S.J. Res. 19. Joint Resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1295

Mr. OWENS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1295.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

HELP EFFICIENT, ACCESSIBLE,
LOW-COST, TIMELY HEALTHCARE
(HEALTH) ACT OF 2005

Mr. SMITH of Texas. Mr. Speaker, pursuant to House Resolution 385 and as the designee of the majority leader, I call up the bill (H.R. 5) to improve pa-

tient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of H.R. 5 is as follows:

H.R. 5

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2005".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—

(1) EFFECT ON HEALTH CARE ACCESS AND COSTS.—Congress finds that our current civil justice system is adversely affecting patient access to health care services, better patient care, and cost-efficient health care, in that the health care liability system is a costly and ineffective mechanism for resolving claims of health care liability and compensating injured patients, and is a deterrent to the sharing of information among health care professionals which impedes efforts to improve patient safety and quality of care.

(2) EFFECT ON INTERSTATE COMMERCE.—Congress finds that the health care and insurance industries are industries affecting interstate commerce and the health care liability litigation systems existing throughout the United States are activities that affect interstate commerce by contributing to the high costs of health care and premiums for health care liability insurance purchased by health care system providers.

(3) EFFECT ON FEDERAL SPENDING.—Congress finds that the health care liability litigation systems existing throughout the United States have a significant effect on the amount, distribution, and use of Federal funds because of—

(A) the large number of individuals who receive health care benefits under programs operated or financed by the Federal Government;

(B) the large number of individuals who benefit because of the exclusion from Federal taxes of the amounts spent to provide them with health insurance benefits; and

(C) the large number of health care providers who provide items or services for which the Federal Government makes payments.

(b) PURPOSE.—It is the purpose of this Act to implement reasonable, comprehensive, and effective health care liability reforms designed to—

(1) improve the availability of health care services in cases in which health care liability actions have been shown to be a factor in the decreased availability of services;

(2) reduce the incidence of "defensive medicine" and lower the cost of health care liability insurance, all of which contribute to the escalation of health care costs;

(3) ensure that persons with meritorious health care injury claims receive fair and adequate compensation, including reasonable noneconomic damages;

(4) improve the fairness and cost-effectiveness of our current health care liability system to resolve disputes over, and provide compensation for, health care liability by reducing uncertainty in the amount of compensation provided to injured individuals; and

(5) provide an increased sharing of information in the health care system which will reduce unintended injury and improve patient care.